

**EXTENSION AND VARIATION OF ACCESS RIGHTS INSTRUMENT  
(AR02)**

This Instrument is made this *28<sup>th</sup>* day of *February* 20*19*, by the DBNGP Land Access Minister (the **Minister**), the corporation sole established by section 29(1) of the *Dampier to Bunbury Pipeline Act 1997* (the **Act**).

**WHEREAS:**

- A. By an instrument dated the 20<sup>th</sup> day of March 1998 (the **Access Rights Instrument**), the Minister, acting under section 34(1) of the Act, conferred on Gas Corporation trading as "AlintaGas", a body corporate constituted under the (now repealed) *Gas Corporation Act 1994*, the rights described in the instrument (the **Rights**) in respect of the land in the DBNGP corridor, as defined in the Act, and as described in Item 1 of the schedule to the Access Right Instrument.
- B. By an instrument dated 20<sup>th</sup> of March 1998, the Minister approved the assignment of the Rights to Epic Energy (WA) Nominees Pty Ltd (ACN 081 609 289), to be effected by the transfer order made by the Minister for Energy under section 15 of the Act.
- C. In November 2004, Epic Energy (WA) Nominees Pty Ltd changed its name to DBNGP (WA) Nominees Pty Ltd (the **Holder**).
- D. Under sections 39 of the Act, the Minister may require the Holder to pay a periodic charge (the **Charge**).
- E. Under clause 3 of the Access Rights Instrument, the Holder must pay the Charge at the time and in the manner specified in Item 3 of the Schedule to the Access Rights Instrument. The Charge is defined in the Access Rights Instrument referred as "the fees and charges as determined from time to time in accordance with Item 3 of the Schedule".
- F. Pursuant to Item 3 of the Schedule to the Access Rights Instrument, the Minister (as defined in the Access Rights Instrument) has reviewed the Charge.

By this instrument:

1. Pursuant to section 35 of the Act, the Minister extends the Rights to the Holder, for a further period of 21 years commencing from the end of the Term of the Access Rights Instrument, being 20 March 2019.

2. Save for an amendment to the Access Right Instrument and Charge under clause 3 below, this extension is made on the same terms as the Access Rights Instrument dated 20<sup>th</sup> day of March 1998.

3. The Access Right Instrument and Charge is amended by replacing Table "A" FEES AND CHARGES with the attached page labelled "Attachment 1" and then inserting the attached page labelled "Attachment 2".

THE COMMON SEAL of the DBNGP )  
LAND ACCESS MINISTER was )  
hereunto affixed by the Hon BEN )  
WYATT MLA, as the DBNGP Land )  
Access Minister under the Dampier to )  
Bunbury Pipeline Act 1997 )



  
DBNGP Land Access Minister